

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

USA

§      Judge: FRANK MONTALVO

vs.

(1) Nelson Blanco-Garcia  
(2) Kristian Garcia-Fuentes

§      Courtroom No. Four

§      Fourth Floor

§      NO: EP:24-CR-00438(1,2)-FM

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**NOTICE**

TAKE NOTICE that the above-entitled case has been set in the United States District Court in El Paso, Texas as follows:

ARRAIGNMENT:      **Thursday, March 14, 2024 at 9:00 a.m.** before U.S. Magistrate Judge

Anne T. Berton, U.S.Courthouse Albert Armendariz Sr., 525 Magoffin, El Paso, TX,  
Magistrate Hearing Room #412, 4th Floor.

DOCKET CALL:      **Thursday, April 4, 2024 at 1:30 p.m.** before Senior U.S. District Judge

Frank Montalvo, U.S. Courthouse Albert Armendariz, Sr., 525 Magoffin,  
El Paso, TX Courtroom #422, 4th Floor

JURY SELECTION:

(See Note Regarding the  
Waiver of Personal  
Appearance, below.)

TRIAL:

OTHER:

ALL ADDRESSEES on this notice (except those for information only) must appear in person unless excused from appearing by the Court. Defendants entering a plea of "Not Guilty" who wish to waive personal appearance at arraignment and their attorneys are excused from appearing if the enclosed waiver is executed and signed by both the defendant and the attorney of record, AND FILED BY 4:30 P.M. ON THE DAY PRECEDING THE SCHEDULED DAY OF ARRAIGNMENT. Take note that if the arraignment is before a United States Magistrate Judge, only a plea of "Not Guilty" may be accepted.

WHENEVER DEFENDANTS OR WITNESSES IN CRIMINAL CASES HAVE NEED FOR THE SERVICES OF THE OFFICIAL COURT INTERPRETER, THE ATTORNEY CONCERNED MUST INFORM THE DISTRICT CLERK NOT LATER THAN FIVE (5) DAYS BEFORE THE COURT APPEARANCE.

NOTE TO ATTORNEY FOR DEFENDANT: The official records in this case show the current address of the defendant to be as addressed below. Since you communicate frequently with the defendant and thereby know changes to his/her address, it is requested that you promptly communicate the changes of address of your defendant-client to this office.

PHILIP J. DEVLIN, Clerk

DATE: March 01, 2024



Adriana Quezada, Deputy Clerk

TO: COURT; COUNSEL FOR THE DEFENDANT; DEFENDANT; U.S. ATTORNEY; U.S. MARSHAL;  
U.S. PROBATION; U.S. PRETRIAL; U.S. MAGISTRATE

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

UNITED STATES OF AMERICA

§

vs.

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NO: EP:24-CR-00438(1,2)-FM

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(1) Nelson Blanco-Garcia

§

(2) Kristian Garcia-Fuentes

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**WAIVER OF PERSONAL APPEARANCE AT ARRAIGNMENT**  
**AND**  
**ENTRY OF PLEA OF NOT GUILTY**

**COMES NOW** Defendant in the above referenced case who, along with his undersigned attorney, hereby acknowledges the following:

- 1) Defendant has received a copy of the indictment or information in this case. Defendant understands the nature and substance of the charges contained therein, the maximum penalties applicable thereto, and his Constitutional Rights, after being advised of all the above by his attorney.
- 2) Defendant understands he has the right to appear personally with his attorney before a Judge for arraignment in open Court on this accusation. Defendant further understands that, absent the present waiver, he will be so arraigned in open Court.

Defendant, having conferred with his attorney in this regard, hereby waives personal appearance with his attorney at the arraignment of this case and the reading of the indictment or information, and, by this instrument, tenders his plea of "not guilty". The defendant understands that the entry by the Court of said plea for defendant will conclude the arraignment in this case for all purposes.

Date: \_\_\_\_\_  
\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Attorney for Defendant

**ORDER**

**APPROVED** by the Court. A plea of "Not Guilty" is entered for defendant effective this date.

Date: \_\_\_\_\_  
\_\_\_\_\_  
United States Magistrate Judge

**WAIVER OF MINIMUM TIME TO TRIAL**

- 3) Defendant understands that he has a right to minimum period of time to trial so that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se. Defendant further understands that, absent the present waiver, he will not be brought to trial during this thirty (30) days period.

Defendant, having conferred with his attorney in this regard, hereby **WAIVES** the requirement that trial shall not commence less than thirty (30) days from the date on which the defendant first appears through counsel or expressly waives counsel and elects to proceed pro se.

Date: \_\_\_\_\_

Defendant

\_\_\_\_\_  
Attorney for Defendant